

CAPITOL OFFICE
STATE CAPITOL, ROOM 5108
SACRAMENTO, CA 95814
TEL (916) 651-4023
FAX (916) 324-4823

DISTRICT OFFICES
10951 WEST PICO BLVD., SUITE 202
LOS ANGELES, CA 90064
TEL (310) 441-9084
FAX (310) 441-0724

300 WEST THIRD ST., 4TH FLOOR
OXNARD, CA 93030
TEL (805) 486-3776
FAX (805) 486-4279

California State Senate

SENATOR
SHEILA JAMES KUEHL
TWENTY-THIRD SENATE DISTRICT

CHAIR
NATURAL RESOURCES AND WATER COMMITTEE



FACT SHEET

SB 1300 (Kuehl)

Mobile Photo Radar Speed Enforcement System (MPRSE)

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JOINT COMMITTEE ON THE ARTS

SB 1300 (Kuehl) will increase public safety and reduce the number of accidents and fatalities due to speeding, by providing clear authorization for the City of Beverly Hills, with the oversight of its local law enforcement agency, to develop a pilot program for a Mobile Photo Radar Speed Enforcement (MPRSE) system to reduce speeding.

The use of an MPRSE system is an important public safety tool in residential neighborhoods and school zones. This legislation allows Beverly Hills to operate a pilot program in which a clearly marked city vehicle, equipped with radar, monitors the speed of drivers and also photographs both the driver and license plate of the vehicle exceeding the speed limit. A citation is then mailed to the owner of the vehicle. Just as in current law regarding red lights at intersections, the owner of the vehicle and/or the alleged violator is provided with an opportunity for appeal. SB 1300 provides authorization only; it does not provide any funding and will not result in any revenue loss to the state. This legislation will sunset on January 1, 2011 and the City of Beverly Hills will present a report detailing the successes and failures of the program by July 1, 2010.

Under SB 1300, a mobile photo radar enforcement system may be utilized to deter speeding only if the following conditions are met:

- Enforcement occurs only in residential areas with speed limits of 25 MPH or lower, or in school zones;
- Properly trained peace officers or public officers staff the mobile unit;
- The City creates uniform guidelines for the selection of locations where the system will be utilized, for screening and issuing citations, and for processing and storing confidential information;
- The guidelines utilized by the City to determine the selection of locations includes a requirement to prove both demonstrated community involvement and support and a demonstrated need for traffic calming devices in the proposed area;
- The mobile unit is marked and the City includes posted signage indicating that a photo radar is in use;
- The registered owner of the car, or the individual identified as the driver at the time of the citation, is provided with the opportunity to view the photographic evidence establishing the violation; and
- The MPRSE system is operated with the oversight of the local law enforcement agency.

MPRSE systems are currently used in a number of states, including Colorado, Oregon, Utah, and Washington, D.C. A study performed by the Insurance Institute for Highway Safety concluded that, within the first six months of photo radar enforcement in the District of Columbia, "the proportion of vehicles exceeding the speed limit by more than 10 mph declined 82 percent."

Without impacting the general fund, SB 1300 allows California to determine, through a pilot program, whether a Mobile Photo Radar Speed Enforcement System will improve public safety. It protects a driver's right to due process and ensures the confidentiality of sensitive information. SB 1300 will help make neighborhoods safer for their residents and school zones safer for children and adults.

**For More Information, please contact: Jonathan Snowden, Office of Senator Sheila Kuehl
(916) 651-4023 • jonathan.snowden@sen.ca.gov**